



Entered on Docket
September 13, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle", is written over a horizontal line.

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Ninth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Palm Harbor One Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m.

The Court having considered the "Ninth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Palm Harbor One Loan," ("Palm Harbor Loan") [DE 8601] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Palm Harbor Loan; and
2 good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8601] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Palm Harbor Loan.
7

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**
10

11 By /s/ John Hinderaker (AZ #018024)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

- _____ This Court has waived the requirement set forth in LR 9021(b)(1).
- XXX No party appeared at the hearing or filed an objection to the motion.
- _____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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**USACM Trust
Palm Harbor One, LLC
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Palm Harbor One Loan
10725-00437	10/4/2006	Toombes, Patsy	Po Box 11665 Zephyr Cove, NV 89448	371,435.14	100,000.00
10725-02163	1/12/2007	Voglis, Marietta	3333 Allen Prky. Unit 1102 Houston, TX 77019	724,292.85	50,000.00
10725-02402	1/17/2007	Weible 1981 Trust Dtd 6/30/81	Ardis & Dean F Weible Co TTTEES 6314 Tara Ave Las Vegas, NV 89146	315,193.10	50,000.00

EXHIBIT A

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